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# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Attorney Docket Number

1311.APT.CI

First Named Inventor

Walter M. Bain

## COMPLETE IF KNOWN

Application Number

10/755,849

Filing Date

01/12/2440

Art Unit

Examiner Name

☐ Declaration Submitted with Initial Filing

☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

## As the below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Automated Prescription Dispensing System and Method of Use

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

01/12/2004

as United States Application Number or PCT International

Application Number

10/755,849

and was amended on (MM/DD/YYYY)

(If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

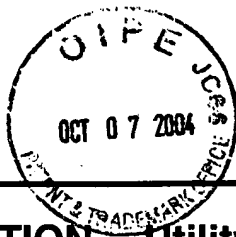
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Randall B. Bateman Reg. No. 37,774



## DECLARATION -- Utility or Design Patent Application

Direct all correspondence to: ☒

Customer Number  
or Bar Code Label

**27472**

OR ☐ Correspondence address below

Name **RANDALL B. BATEMAN, P.C.**

Address **4 TRIAD CENTER, SUITE 825; P. O. BOX 1319**

City **SALT LAKE CITY**

State

**UTAH**

ZIP

**84110**

Country **USA**

Telephone

**(801) 533-0320**

Fax

**(801) 533-0323**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any])

Walter M.

Family Name  
or Surname

Bain

Inventor's  
Signature

*Walter M. Bain*

Date

*Oct 2, 2004*

Residence: City

*FARMINGTON*

State

*Utah*

Country

*DAVIS*

Citizenship

*USA*

Mailing Address

*536 East Woodward Dr.*

City

*Farmington*

State

*Utah*

Zip

*84025*

Country

*DAVIS*

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name  
(first and middle [if any])

Family Name  
or Surname

Inventor's  
Signature

Date

Residence: City

State

Country

Citizenship

Mailing Address

City

State

Zip

Country

☐ Additional inventors are being named on the \_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



**STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(c))--SMALL BUSINESS CONCERN**

Docket Number (Optional)  
**1311..APT.PT**

Applicant, Patentee, or Identifier: Walter M. Bain

Application or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: AUTOMATED PRESCRIPTION DISPENSING SYSTEM AND METHOD OF USE

I hereby state that I am

- ☒ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Advanced Pharmacy Technologies, L.L.C.

ADDRESS OF SMALL BUSINESS CONCERN 526 North 700 West, No. Salt Lake, Utah 84054

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☒ the specification filed herewith with title as listed above.  
☐ the application identified above.  
☐ the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Daniel Bain

TITLE OF PERSON IF OTHER THAN OWNER Manager

ADDRESS OF PERSON SIGNING 526 North 700 West, No. Salt Lake, Utah 84054

SIGNATURE [Signature] DATE 9/6/2000